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DEC 04 2009

OFFICE OF PETITIONS

In re Application of :
Hudson et al. :
Application No. 10/520,275 : DECISION ON PETITION
Filed: November 23, 2005 :
Attorney Docket No. 10704-19 MIS:jb :

This is a decision on the petition under the unintentional provisions of 37 CFR 1.137(b), filed October 9, 2009, to revive the above-identified application.

The petition is **GRANTED**.

The two-month period for filing an appeal brief under 37 CFR 41.37 (accompanied by the fee required by 37 CFR 41.20(b)(2)), runs from the date of this decision.

The application became abandoned for failure to reply in a timely manner to the non-final Office action mailed, April 6, 2009, which set a shortened statutory period for reply of three (3) months. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the application became abandoned on October 7, 2009.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of a Notice of Appeal and fee of \$540, (2) the petition fee of 1,620, and (3) a proper statement of unintentional delay.

Telephone inquiries concerning this decision should be directed to Alicia Kelley at (571) 272-6059.

This application is being referred to Technology Center AU 1794 to await the filing of an appeal brief or for such other appropriate reply as may be submitted to continue prosecution of the application.


Chris Bottorff
Petitions Examiner
Office of Petitions